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Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

#15  
W. L. Lauer  
3/20/02

## CONTINUED PROSECUTION APPLICATION (CPA) REQUEST TRANSMITTAL

Submit an original, and a duplicate for fee processing.  
(Only for nonprovisional utility and plant applications, including a prior CPA under  
37 CFR 1.53(d), filed before May 29, 2000, and for all design applications.)

CHECK BOX, if applicable:  
[ ] DUPLICATE

ADDRESS TO: Assistant Commissioner for Patents  
BOX CPA  
Washington, D.C. 20231

Attorney Docket No. 80398.P158

First Named Inventor Proehl

Express Mail Label No. EL867652028US

Total Pages 2

This is a request for a X continuation or \_\_\_\_\_ divisional under 37 CFR 1.53(d)  
(continuation prosecution application (CPA)) of prior application No: 09/218,119,  
filed on December 21, 1998, entitled Method and Apparatus for Notification on a Broadcast Device

If the Patent and Trademark Office determines that this request under 37 CFR 1.53(d) is improper, the Office is requested to treat this CPA as a request for continued examination of the above identified application under 37 CFR 1.114.

### NOTES

**FILING QUALIFICATIONS:** The prior application identified above must be a nonprovisional plant or utility application that is either: (1) complete as defined by 37 CFR 1.51(b) and filed on or after June 8, 1995 and before May 29, 2000, or (2) the national stage of an international application in compliance with 35 U.S.C. 371 and filed on or after June 8, 1995 and before May 29, 2000, or (3) a design patent.

**C-I-P NOT PERMITTED:** A continuation-in-part application cannot be filed as a CPA under 37 CFR 1.53(d), but must be filed under 37 CFR 1.53(b).

**EXPRESS ABANDONMENT OF PRIOR APPLICATION:** The filing of this CPA is a request to expressly abandon the prior application as of the filing date of the request for a CPA. 37 CFR 1.53(b) must be used to file a continuation, divisional, or continuation-in-part of an application that is not to be abandoned.

**EFFECT ON PATENT TERM ADJUSTMENTS:** A CPA filed on or after May 29, 2000 is considered a new application for purposes of calculating accumulation of PTA against the 3-year pendency provision under 35 U.S.C. 1.32(b).

**ACCESS TO PRIOR APPLICATION:** The filing of this CPA will be construed to include a waiver of confidentiality by the applicant under 35 U.S.C. 122 to the extent that any member of the public who is entitled under the provisions of 37 CFR 1.14 to access to, copies of, or information concerning, the prior application may be given similar access to, copies of, or similar information concerning, the other application or applications in the file jacket.

**35 U.S.C. 120 STATEMENT:** In a CPA, no reference to the prior application is needed in the first sentence of the specification and none should be submitted. If a sentence referencing the prior application is submitted, it will not be entered. A request for a CPA is the specific reference required by 35 U.S.C. 120 and to every application assigned the application number identified in such request, 37 CFR 1.78(a).

1.      Enter the unentered amendment previously filed on \_\_\_\_\_  
under 37 CFR 1.116 in the prior nonprovisional application.
2. X A preliminary amendment is enclosed.
3.      This application is filed by fewer than all the inventors named in the prior application, 37 CFR 1.53(d)4.  
     a. **DELETE** the following inventor(s) named in the prior nonprovisional application:  
\_\_\_\_\_  
\_\_\_\_\_  
     b. The inventor(s) to be deleted are set forth on a separate sheet attached hereto.
4.      A new power of attorney or authorization of agent (PTO/SB/81) is enclosed.
5.      Information Disclosure Statement (IDS) is enclosed:  
a.      PTO - 1449  
b.      Copies of IDS Citations

05/25/00